



Office of Advocacy and Outreach

Advisory Committee on Minority Farmers

Charter

1. **Committee's Official Designation**

Advisory Committee on Minority Farmers

2. **Authority**

The Advisory Committee on Minority Farmers (Committee) was established in the U.S. Department of Agriculture (USDA) pursuant to section 14008 of the Food Conservation, and Energy Act of 2008, Pub. L. 110-246, 122 Stat. 1651, 2008 (7 U.S.C. 2279). The Committee is managed in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.

3. **Objectives and Scope of Activities**

The purpose of the committee is to advise the Secretary of Agriculture on:

- a. The implementation of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279);
- b. Methods of maximizing the participation of minority farmers and ranchers in U.S. Department of Agriculture programs; and
- c. Civil rights activities within the Department, as such activities relate to participants in such programs.

4. **Description of Duties**

The Committee is advisory in nature and its advice will center on ways and means of significantly improving the USDA's delivery of programs that service and support minority farmers. The duties of the committee include: 1) deliberations that will result in the creation or elimination of policies or guidelines that will increase minority participation in U.S. Department of Agriculture programs; 2) make recommendations resulting in significant improvements in service or reductions in cost; and 3) provide an important perspective or viewpoint affecting agency operations.

5. **Agency or Official to Whom the Committee Reports**

The committee is to report to the Secretary through the Assistant Secretary for Administration. No other entity is to exist in the chain of command.

6. **Support**

Support for the Committee will be provided by the Office of Advocacy and Outreach (OAO) within Departmental Management.

7. **Estimated Annual Operating Costs and Staff Years**

The estimated annual operating and salary cost for this Committee is \$101,000.00 and 1.25 FTEs.

8. **Designated Federal Officer**

A permanent Federal employee will be appointed in accordance with agency procedures and will serve as the DFO. The DFO will approve the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. **Estimated Number and Frequency of Meetings**

The Committee will have at least two virtual teleconference meetings and two face-to-face meetings per year, as requested by the Department.

10. **Duration**

Continuing. 11. **Termination**

Not applicable without legislation. In accordance with Federal Advisory Committee Act Regulations, two years from the date of the filing of this charter, the charter expires and the committee will not meet without a filed charter.

12. **Membership and Designation**

- a. This Committee will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships.

The Committee shall be composed of at least 15 members and shall include:

- (1) Not less than four socially disadvantaged farmers or ranchers;
- (2) Not less than two representatives of nonprofit organizations with a history of working with socially disadvantaged farmers or ranchers;

- (3) Not less than two civil rights professionals;
 - (4) Not less than two representatives of institutions of higher education with demonstrated experience working with socially disadvantaged farmers or ranchers;
 - (5) Such other persons as the Secretary considers appropriate; and the Secretary may appoint employees of USDA to serve as an ex-officio members of the Committee.
- b. Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.
- c. The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.
- d. Of these members, one will be elected the chairperson. He or she must be recognized for their ability to lead a group in a fair and focused manner and have been briefed on the mission of this Committee. Another member will be the vice-chairperson who will assist in the facilitating the Committee meetings with the chairperson.
- e. Ethics Statement

To maintain the highest levels of honesty, integrity, and ethical conduct, no Committee or Subcommittee member shall participate in any "specific party matters" (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO (for discussion with USDA's Office of Ethics) any specific party matter in which the member's immediate family, relatives, business partners, or employer would be directly seeking to financially benefit from the Committee's recommendations. Members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the Forest Service, or in any litigation related thereto.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee's advice and recommendations. Members who are appointed as "Representatives" are not subject to Federal ethics laws because such appointment allows them to represent

the point(s) of view of a particular group, business sector, or segment of the public.

Members appointed as “Special Government Employees” (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGE’s are appointed due to their personal knowledge, academic scholarship, background, or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards, USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

13. **Subcommittees**

The OAO has the authority to create subcommittees. Subcommittees must report back to the parent committee, and must not provide advice or work products directly to the Agency. Currently, the three subcommittees are:

- a. Farm Service Agency /Natural Resource Conservation Service /Risk Management Agency /Agriculture Marketing Service Subcommittee
- b. Rural Development /Forest Service /National Institute of Food and Agriculture Subcommittee
- c. Civil Rights Subcommittee

14. **Recordkeeping**

The records of this Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with GRS 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about this Committee is available online at:
<http://www.outreach.usda.gov/sdfr/FAC.htm>

15. **Filing Date**

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